

DFEH News Brief

October 21, 2003
For Immediate Release

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JURY RETURNS RECORD \$460,000 VERDICT AGAINST COUNTY OF RIVERSIDE FOR REFUSING TO ACCOMMODATE EMPLOYEE IN MENTAL DISABILITY CASE

Sacramento – The Department of Fair Employment and Housing (DFEH) today announced that a jury has awarded a Riverside County man \$460,000 in a mental disability discrimination case filed against the County of Riverside. The award is the largest jury verdict in DFEH history.

DFEH filed the civil case in December 2000 in Riverside County Superior Court on behalf of the complainant, a 50-year old former Sheriff's investigator. The employee filed a discrimination complaint with DFEH in October of 1999 after the Riverside County Sheriff's Department refused to accommodate him after he suffered a head injury and eventually was diagnosed with a mental disability. The disability no longer allowed him to carry a gun so he could not perform the duties of a Sheriff's Investigator. The County denied his request for disability accommodation to work as a gardener, truck driver, or other non-peace officer position as recommended by his doctor. Further, the County instructed him not to accept employment outside of the Sheriff's Department.

The jury agreed with DFEH arguments that the County failed to offer or accept a reasonable accommodation for the complainant's disability as required under the Fair Employment and Housing Act. After a month-long trial and approximately three hours of deliberation, the jury awarded the complainant \$160,000 in back pay and lost benefits damages and \$300,000 in emotional distress damages.

"I am extremely pleased with the outcome in this case. We hope that this sends a strong reminder to employers of the importance of providing a reasonable accommodation for employees with disabilities," said DFEH Interim Director Jill Peterson. Through DFEH attorneys, the complainant said he was "happy that the County of Riverside has to stop treating people with disabilities the way they do." DFEH is also asking the judge to order training for County managers and supervisors in non-discrimination policies.

In May of 2000, DFEH reached a record \$425,000 settlement with the County of Tulare for failing to allow a manager with a mental disability to return to work in their Health and Human Services Agency after being cleared by her doctor and subsequently barring the employee from working in any capacity with the County.

DFEH enforces laws prohibiting discrimination in employment, housing, public accommodations and acts of hate violence. Further information about DFEH and its services may be obtained by calling (800) 884-1684 or by accessing DFEH's website at www.dfeh.ca.gov.

PR-14-03/DFEH